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FILED
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U.S. DISTRICT COURT E.D.N.Y.
★ JUL 06 2011 ★

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

BROOKLYN OFFICE

----- X
MORAN TOWING CORPORATION,

Plaintiff,

- against -

THE BARGE NEW JERSEY,
HER TACKLE, ETC. *IN REM*, THE
BARGE NEW YORK, HER TACKLE,
ETC. *IN REM*, AND AMERICAN
STEVEDORING INC., *IN PERSONAM*,

Defendants.
----- X

11 Civ. 2636 (SLT)

ORDER TO SHOW CAUSE

UPON the Declaration of Michael S. Hiller, dated July 5, 2011; Affidavit of Sabato Catucci, sworn to July 5, 2011; upon all of the Exhibits annexed thereto; upon the Memorandum of Law from Weiss & Hiller, PC, dated July 5, 2011; and upon all of the other proceedings had heretofore herein;

LET plaintiff Moran Towing Corporation and its counsel show cause why the Court should not issue an order, granting the following relief:

1. vacating the *Ex Parte* Order for Issuance of Warrant of Arrest *In Rem*, dated June 2, 2011 ("June 2nd Arrest Order");
2. vacating the Warrant of Arrest of Vessel (Barge New York), its tackle, etc., and all other necessities thereunder appertaining and belonging to the Barge New York, dated June 2, 2011

("Warrant of Arrest of Barge New York");

3. vacating the Order of Release, dated June 7, 2011, to the extent that the Court directed the arrest of the Barge New Jersey ("June 7th Order");

4. vacating the Order Appointing Substitute Custodian, dated June 2, 2011 ("Order Appointing Substitute Custodian");

5. vacating the Warrant of Arrest of Vessel (Barge New Jersey) its tackle, etc., and all other necessities thereunder appertaining and belonging to the Barge New Jersey ("Warrant of Arrest of Barge New Jersey");

6. dismissing this action; and

7. any and all further relief this Court deems just and proper.

~~TEMPORARY RELIEF PENDING HEARING~~

~~IT IS HEREBY ORDERED that, pending the hearing and determination of this Order to Show Cause, the June 2nd Arrest Order, Warrant of Arrest of the New York, the June 7th Order, Warrant of Arrest of the New Jersey, and the Order Appointing Substitute Custodian are hereby stayed.~~ SLT

SERVICE OF PROCESS

Sufficient cause having been alleged, let service of this Order, together with the papers upon which it is based, be effectuated upon plaintiff's counsel, Blank & Rome, The Chrysler Building, 405 Lexington Avenue, New York, New York, 10174-0208, and counsel for the Port Authority of New York and New Jersey, Saiber LLC, 18 Columbia Pike, Suite 200, Florham Park, New Jersey

07932, by means of the Case Management/Electronic Case Filing System, on or before the 6 day of

July, 2011. Plaintiff's counsel and counsel for the Port Authority shall file responses by July 7, 2011, at 5 p.m. All counsel shall appear for a conference on

Dated: July 6, 2011

July 8, 2011, at

2 p.m. in Courtroom

4B.

/s/ SLTD.J.